

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: James Martin

Cr.: 09-182
PACTS Number: 50913

Name of Sentencing Judicial Officer: Honorable William H. Walls, Senior United States District Judge

Date of Original Sentence: 06/30/09

Original Offense: Bank Fraud

Original Sentence: 30 months imprisonment; 3 years supervised release. Special conditions: refrain from alcohol/testing and treatment; financial disclosure; no new debt; DNA testing

Type of Supervision: Supervised Release

Date Supervision Commenced: 06/18/10

PETITIONING THE COURT

- [] To extend the term of supervision for Years, for a total term of Years.
[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

OTHER CONDITION

‘THE DEFENDANT SHALL SUBMIT HIS PERSON, RESIDENCE, OFFICE OR VEHICLE TO A SEARCH, CONDUCTED BY A UNITED STATES PROBATION OFFICER AT REASONABLE TIME AND IN A REASONABLE MANNER, BASED UPON A REASONABLE SUSPICION OF CONTRABAND OR EVIDENCE OF A VIOLATION OF A CONDITION OF RELEASE; FAILURE TO SUBMIT TO A SEARCH MAY BE GROUNDS FOR REVOCATION. THE DEFENDANT SHALL WARN ANY OTHER RESIDENTS THAT THE PREMISES MAY BE SUBJECT TO SEARCHES PURSUANT TO THIS CONDITION.’

CAUSE

Due to a prior arrest that occurred on October 20, 2002, for Criminal Possession of a Weapon, the probation office is seeking a modification of his conditions to include search. This will ensure continued compliance, serve as a deterrent, and provide more effective protection for the community.

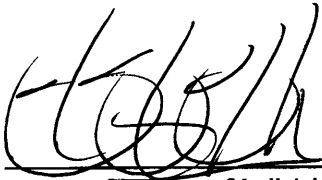
During the aforementioned arrest, an officer of the New York City Police Department heard shots fired. Witnesses described the shooter as wearing a gray hood. The officer observed the suspect enter a building carrying a red bag. The suspect, later identified as James Martin, was found to be in possession of two firearms; a .40 caliber Glock 27 semi-automatic firearm, and a 10 mil. C semi-automatic firearm. Both were loaded and a magazine containing eight live rounds were found in each weapon. Martin admitted to police to firing two rounds.

Respectfully submitted,

7.10.09
S. Karlak
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James Martin
By: Susan Karlak
Senior U.S. Probation Officer
Date: 10/25/10

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other



Signature of Judicial Officer

27 October 2010

Date

PROB 49

Waiver of Hearing to Modify Conditions
of Supervised Release

UNITED STATES DISTRICT COURT
for the
DISTRICT OF NEW JERSEY

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Supervised Release. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Supervised Release:

THE DEFENDANT SHALL SUBMIT HIS PERSON, RESIDENCE, OFFICE OR VEHICLE TO A SEARCH, CONDUCTED BY A UNITED STATES PROBATION OFFICER AT REASONABLE TIME AND IN A REASONABLE MANNER, BASED UPON A REASONABLE SUSPICION OF CONTRABAND OR EVIDENCE OF A VIOLATION OF A CONDITION OF RELEASE; FAILURE TO SUBMIT TO A SEARCH MAY BE GROUNDS FOR REVOCATION, THE DEFENDANT SHALL WARN ANY OTHER RESIDENTS THAT THE PREMISES MAY BE SUBJECT TO SEARCHES PURSUANT TO THIS CONDITION.

Witness: Donna Fortenante Signed: James Martin
U.S. Probation Officer Supervised Releasee
7/9/10
DATE